

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

REGINALD C. JONES,

1:12-CV-01249-AC

Plaintiff,

ORDER

v.

**CAROLYN W. COLVIN, Acting
Commissioner, Social Security
Administration,¹,**

Defendant.

BROWN, Judge.

Magistrate Judge John V. Acosta issued Findings and

¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should be substituted for Michael J. Astrue as Defendant in this case. No further action need be taken to continue this case by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405.

Recommendation (#21) on June 3, 2013, in which he recommends this Court grant Defendant's Motion (#12) to Dismiss Complaint Pursuant to Fed. R. Civ. P. 12(b)(1) and Fed. R. Civ. P. 12(b)(6). The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*). See also *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Acosta's Findings and Recommendation (#21). Accordingly, the Court **GRANTS** Defendant's Motion (#12) to Dismiss and **DISMISSES** this matter **with prejudice**.

IT IS SO ORDERED.

DATED this 2nd day of July, 2013.



ANNA J. BROWN
United States District Judge